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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,214	10/06/2003	Hideki Nakamura	117454	2386
25944 7590 02/26/2010 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850				
EXAMINER				
SHEPARD, JUSTIN E				
ART UNIT		PAPER NUMBER		
2424				
NOTIFICATION DATE		DELIVERY MODE		
02/26/2010		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

OfficeAction25944@oliff.com
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Response to Arguments

Applicant's arguments filed 2/9/10 have been fully considered but they are not persuasive.

Page 6, paragraph beginning with "Applicants":

The applicant refers to the interview held 1/26/10, wherein the amendments were agreed as getting around the previous cited prior art. Specifically, the applicant explained that the "keyword" would need to be input using a keypad, which is not taught by Stumphauzer. Stumphauzer does not teach any particular keyword entry system, only that keywords are input and used to search for content (paragraph 27). It could be implied that a keypad is used as the playlist name entered seems too specific to be selected from generic terms, but the examiner agrees that a keypad was not specifically taught. Referring to the applicant's specification, the keyword (page 15, lines 18-22; figure 3, part 41) could be input using the mouse and a history list (page 23, line 20 to page 24, line 1; figure 9). Therefore, using a keypad is not the only way to input keywords according to the applicant's specification as was suggested by the applicant during the interview. The input could be a pointer interface as the applicant suggested Stumphauzer performs during the interview. The examiner suggests that the applicant, upon filing of an RCE, submits a new set of claims defining the keyword input as being only a keypad or keyboard. This amendment would get around the previously cited art and cause for an additional search to be performed.

Page 8, last paragraph:

The applicant continues to argue that Stumphauzer that indicates that a user may conduct a word search via an input keyword to develop its playlist. Stumphauzer again teaches (paragraph 28) that a user may input search criteria i.e. U2's song Bad, songs by the artist Sting, the "National Public Radio's Morning Edition" program, or the State of the Union. Referring back to the specification (page 15, lines 18-22), the keyword examples given (world cup and wing stadium) correspond with the keywords taught by Stumphauzer. The difference between the invention and the prior art is how the keyword is inputted, but this difference is not found in the claimed invention. As suggested above, the applicant is invited to slightly amend the claim before filing an RCE to better define the claim over the cited prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin E. Shepard whose telephone number is (571) 272-5967. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher Kelley/
Supervisory Patent Examiner, Art
Unit 2424

JS